



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Blue Ridge Regional Office

www.deq.virginia.gov

L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

Steven A. Dietrich
Regional Director

Lynchburg Office
7705 Timberlake Road
Lynchburg, Virginia 24502
(434) 582-5120
Fax (434) 582-5125

June 15, 2009

Roanoke Office
3019 Peters Creek Road
Roanoke, Virginia 24019
(540) 562-6700
Fax (540) 562-6725

John M. McManus
Vice President, Environmental Services
American Electric Power Service Corporation
1 Riverside Plaza
Columbus, OH 43215

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: VPDES Permit No. VA0087084, Reissuance

Dear Mr. McManus:

Your VPDES permit is enclosed. This permit supersedes the previous VPDES Permit VA0087084 issued to this facility. Discharge Monitoring Report (DMR) forms are included with the permit. Please make additional copies of the DMRs for future use. **The first DMRs required by this permit for quarterly monitored parameters are due by October 10, 2009 for the period July through September, 2009. The first DMRs required by this permit for annually monitored parameters are due by July 10, 2010 for the period July 2009 through June 2010.** If you still have DMR data to report as required by the previous permit please submit as an attachment to the first DMR(s) required by this permit. Monitoring results on the DMRs should be reported to the same number of significant digits as are included in the permit limit for the parameter. Please send DMRs to: Virginia Department of Environmental Quality, Blue Ridge Regional Office, 3019 Peters Creek Road, Roanoke, VA 24019

Note that DEQ has launched an e-DMR program that allows you to submit the effluent data electronically. If you are interested in participating in this program please visit the following website for details:

<http://www.deq.virginia.gov/water/edmrfac.html>

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under §§ 62.1 - 44.16, 62.1 - 44.17, and 62.1 - 44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in 9 VAC 25-230-130.B of Procedural Rule 1. In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail. If you have any questions about the permit, please call Bob Tate at (540) 562-6774.

Sincerely,

Steven A. Dietrich, P.E.
Regional Director, Blue Ridge Regional Office

Enclosure: Permit No. VA0087084

cc: OWPP
EPA, Region III-3WP12

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Claytor Hydroelectric Plant
ADDRESS 1 Riverside Plaza
Columbus OH 43215

FACILITY LOCATION 8355 Little River Dam Rd

VA0087084
PERMIT NUMBER

001
DISCHARGE NUMBER

MONITORING PERIOD

YEAR MO DAY TO
YEAR MO DAY

FROM

Industrial Minor 04/21/2009

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

West Central Regional Office
3019 Peters Creek Road

Roanoke

VA 24019

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
001 FLOW	REPORTD			*****	*****	*****			
	REQRMNT	NL	MGD	*****	*****	*****		1/YR	EST
080 TEMPERATURE, WATER (DEG. C)	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	29	C	1/YR	IS
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	REQRMNT							*****	
	REPORTD								
	REQRMNT							*****	
	REPORTD								
	REQRMNT							*****	
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	REQRMNT							*****	
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	REQRMNT							*****	
	REPORTD								
	REQRMNT							*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

Temperature shall be monitored in July or August if operating.

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED, BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
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VA0087084	002				
PERMIT NUMBER	DISCHARGE NUMBER				
MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
FROM			TO		

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DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 04/21/2009
DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
West Central Regional Office
3019 Peters Creek Road
Roanoke VA 24019

VA0087084	003
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD	
YEAR	MO
DAY	TO

FROM

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001 FLOW	REPORTD			*****	*****	*****			
	REQRMNT	NL	MGD	*****	*****	*****		1/YR	EST
080 TEMPERATURE, WATER (DEG. C)	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	29	C	1/YR	IS
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Roanoke VA 24019

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PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Claytor Hydroelectric Plant
ADDRESS 1 Riverside Plaza OH 43215
Columbus

FACILITY LOCATION 8355 Little River Dam Rd

VA0087084	004
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD			
YEAR	MO	DAY	TO

FROM

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS	
001 FLOW	REPORTD			*****	*****	*****		
	REQRMNT	NL	MGD	*****	*****	*****	1/YR	EST
080 TEMPERATURE, WATER (DEG. C)	REPORTD	*****		*****	*****			
	REQRMNT	*****		*****	*****	29	1/YR	IS
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VA0087084	005
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MONITORING PERIOD			
YEAR	MO	DAY	TO

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001 FLOW	REPORTD			*****	*****	*****			
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080 TEMPERATURE, WATER (DEG. C)	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	29	C	1/YR	IS
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DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 04/21/2009

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PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Claytor Hydroelectric plant
ADDRESS 1 Riverside Plaza OH 43215
Columbus

FACILITY LOCATION 8355 Little River Dam Rd

VA0087084	006
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD			
YEAR	MO	DAY	TO

FROM

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
001 FLOW	REPORTD			*****	*****	*****			
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080 TEMPERATURE, WATER (DEG. C)	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	29	C	1/YR	IS
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	REQRMNT	*****		*****	*****	29	1/YR	IS
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BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE		DATE	
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR MO. DAY
				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	
				TYPED OR PRINTED NAME	SIGNATURE	YEAR MO. DAY	

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE
PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED
TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION
SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR
THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION
SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE.
I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION,
INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18
U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include
fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Claytor Hydroelectric Plant
ADDRESS 1 Riverside Plaza OH 43215
Columbus
FACILITY LOCATION 8355 Little River Dam Rd

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 04/21/2009

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

West Central Regional Office
3019 Peters Creek Road

Roanoke VA 24019

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

VA0087084	013				
PERMIT NUMBER	DISCHARGE NUMBER				
MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
			TO		

FROM

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
001 FLOW	REPORTD			*****	*****	*****			
	REQRMNT	NL	MGD	*****	*****	*****		1/3M	EST
002 PH	REPORTD	*****			*****				
	REQRMNT	*****			*****				
080 TEMPERATURE, WATER (DEG. C)	REPORTD	*****		6.0	*****	9.0		1/3M	GRAB
	REQRMNT	*****		*****	*****				
500 OIL & GREASE	REPORTD	*****		*****	*****	29		1/3M	IS
	REQRMNT	*****		*****	*****				
	REPORTD			*****	*****	NL		1/3M	GRAB
	REQRMNT							*****	
	REPORTD							*****	
	REQRMNT							*****	
	REPORTD							*****	
	REQRMNT							*****	
	REPORTD							*****	
	REQRMNT							*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

Temperature shall be monitored in July or August if operating.

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE					
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY			
				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE					
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO.	DAY				

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COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Claytor Hydroelectric Plant
ADDRESS 1 Riverside Plaza
Columbus OH 43215

FACILITY LOCATION 8355 Little River Dam Rd

Industrial Minor 04/21/2009

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

West Central Regional Office
3019 Peters Creek Road

Roanoke VA 24019

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

VA0087084	014
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD	
YEAR	MO
DAY	TO

FROM

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
001 FLOW	REPORTD			*****	*****	*****			
	REQRMNT	NL	MGD	*****	*****	*****		1/3M	EST
002 PH	REPORTD	*****			*****				
	REQRMNT	*****		6.0	*****	9.0		1/3M	GRAB
080 TEMPERATURE, WATER (DEG. C)	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	29		1/3M	IS
500 OIL & GREASE	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	NL		1/3M	GRAB
	REPORTD							*****	
	REQRMNT							*****	
	REPORTD							*****	
	REQRMNT							*****	
	REPORTD							*****	
	REQRMNT							*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

Temperature shall be monitored in July or August if operating.

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit No. VA0087084
Effective Date: June 23, 2009
Expiration Date: May 31, 2014


AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, and Parts I and II of this permit, as set forth herein.

Owner:	Appalachian Power Company
Facility Name:	Claytor Hydroelectric Plant
County:	Pulaski
Facility Location:	8355 Little River Dam Road

The owner is authorized to discharge to the following receiving stream:

Stream:	New River
River Basin:	New River
River Subbasin:	N/A
Section:	2b
Class:	IV
Special Standards:	PWS, v


Steven A. Dietrich, P.E.
Regional Director, Blue Ridge Regional Office


Date

A. LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge non-contact cooling water for north generator air coolers and thrust bearing coolers from Outfalls: 001 (Unit 1), 002 (Unit 2), 003 (Unit 3), and 004 (Unit 4).

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency
Flow (MGD)	NL	NA	NA	NL	1/Year
Temperature (°C) ^a	NA	NA	NA	29	1/Year

NA = Not applicable
 NL = No Limitation, monitoring required

^a Temperature shall be monitored during the month of July or August if operating.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

A. LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge non-contact cooling water for south generator air coolers from Outfalls: 005 (Unit 1), 006 (Unit 2), 007 (Unit 3), and 008 (Unit 4).

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency
Flow (MGD)	NL	NA	NA	NL	1/Year
Temperature (°C) ^a	NA	NA	NA	29	1/Year
					Estimate
					Immersion Stabilization

NA = Not applicable
 NL = No Limitation, monitoring required

^a Temperature shall be monitored during the month of July or August if operating.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

A. LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge turbine seal water from Outfalls: 009 (Unit 1), 010 (Unit 2), 011 (Unit 3), and 012 (Unit 4).

Such discharges shall be limited and monitored by the permittee as specified below:

NO LIMITATIONS OR MONITORING ARE REQUIRED.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

A. LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from Outfall 013 (draft tube dewatering and sump).

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD)	NL	NA	NA	NL	1/3 Months ^a	Estimate
Temperature (°C)	NA	NA	NA	29	1/3 Months ^a	Immersion Stabilization
pH (S.U.)	NA	NA	6.0	9.0	1/3 Months ^a	Grab
Oil and Grease (mg/L)	NA	NA	NA	NL	1/3 Months ^a	Grab
NA = Not applicable						
NL = No Limitation, monitoring required						

^a when discharging, 1/3 Months, in accordance with the following schedule: 1st quarter (January 1 - March 31, report due April 10); 2nd quarter (April 1 - June 30, report due July 10); 3rd quarter (July 1 - September 30, report due October 10); 4th quarter (October 1 - December 31, report due January 10).

There shall be no discharge of floating solids or visible foam in other than trace amounts.

A. LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from Outfall 014 (sump).

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency Sample Type
Flow (MGD)	NL	NA	NA	NL	1/3 Months ^a Estimate
Temperature (°C)	NA	NA	NA	29	1/3 Months ^a Immersion Stabilization
pH (S.U.)	NA	NA	6.0	9.0	1/3 Months ^a Grab
Oil and Grease (mg/L)	NA	NA	NA	NL	1/3 Months ^a Grab
NA = Not applicable					
NL = No Limitation, monitoring required					

^a 1/3 Months, in accordance with the following schedule:

1st quarter (January 1 - March 31, report due April 10);
2nd quarter (April 1 - June 30, report due July 10);
3rd quarter (July 1 - September 30, report due October 10);
4th quarter (October 1 - December 31, report due January 10).

There shall be no discharge of floating solids or visible foam in other than trace amounts.

A. LIMITATIONS AND MONITORING REQUIREMENTS

6. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from Outfall 015 (storm water from the oil/water separator and site runoff).

Such discharges shall be limited and monitored by the permittee as specified below:

THERE SHALL BE NO DISCHARGE OF PROCESS WASTEWATER FROM THIS OUTFALL.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

B. OTHER REQUIREMENTS AND SPECIAL CONDITIONS

1. **Notification Levels** – The permittee shall notify the DEQ - Blue Ridge Regional Office as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter;
 - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
 - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
 - (4) The level established by the Board.
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) Five hundred micrograms per liter;
 - (2) One milligram per liter for antimony;
 - (3) Ten times the maximum concentration value reported for that pollutant in the permit application; or
 - (4) The level established by the Board.

2. **Materials Handling/Storage** – Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of, and/or stored in such a manner so as not to permit a discharge of such product, materials, industrial wastes, and/or other wastes to State waters, except as expressly authorized.

3. **Best Management Practices Plan** – The permittee shall maintain a Best Management Practices (BMP) plan for the control of leaks, spills, and storm water runoff from the facility. The permittee shall amend the BMP plan whenever there is a change in the facility or operation of the facility which materially increases the potential to discharge significant amounts of pollutants or if the BMP plan proves to be ineffective in preventing the release of significant amounts of pollutants. Changes to the BMP plan shall be submitted for staff approval within 90 days of the effective date of the changes. Upon approval, the amended BMP plan becomes an enforceable part of the permit. The BMP plan shall include a discussion of current monitoring, calibration of the thermometer, and reporting requirements.

B. OTHER REQUIREMENTS AND SPECIAL CONDITIONS (CONTINUED)**4. Cooling Water and Boiler Additives –**

- a. If at any time during the life of the permit, the permittee decides to treat any non-contact cooling water unit(s) and/or boiler systems with chemical additives, the following requirements shall be satisfied.

Thirty (30) days prior to implementing any chemical addition to the cooling water and/or boiler equipment, the permittee shall notify the DEQ - Blue Ridge Regional Office, in writing, of the following:

- (1) Chemical additives to be employed and their purpose. Provide, for review, a Material Safety Data Sheet (MSDS) for each proposed additive.
- (2) Schedule of additive usage and,
- (3) Wastewater treatment and/or retention to be provided during the use of additives.

- b. Should the addition of treatment chemicals significantly alter the characteristics of the effluent from the cooling water unit(s) or if their usage becomes persistent or continuous, this permit shall be modified, or alternatively revoked and reissued to include appropriate limitations or conditions.

5. **Effluent Monitoring Frequencies** – If the facility permitted herein is issued a Notice of Violation for any of the parameters listed below, then the following effluent monitoring frequencies shall become effective upon written notice from DEQ and remain in effect until permit expiration date.

<u>Effluent Parameter</u>	<u>Frequency</u>
Flow	1/Month
Temperature	1/Month
pH	1/Month
Oil and Grease	1/Month

No other effluent limitations or monitoring requirements are affected by this special condition.

6. **Total Maximum Daily Load (TMDL) Reopener** – This permit shall be modified or alternatively revoked and reissued if any approved wasteload allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements.
7. **Claytor Project Relicensure/401 Certification Reopener** – This permit shall be modified or alternatively revoked and reissued if the relicensure process requires actions to protect water quality with regard to temperature and dissolved oxygen conditions that are not consistent with the permit requirements.

B. OTHER REQUIREMENTS AND SPECIAL CONDITIONS (CONTINUED)

8. **PCB Monitoring** – The permittee shall monitor the effluent at Outfalls 014 and 015 for Polychlorinated Biphenyls (PCBs) in accordance with the schedule in 8.f. below. DEQ will use these data for development of a PCB TMDL for the New River. The permittee shall conduct the sampling and analysis in accordance with the requirements specified below. At a minimum:
- Monitoring and analysis shall be conducted in accordance with the most current version of EPA Method 1668, congener specific results as specified in the PCB Point Source Monitoring Guidance. It is the responsibility of the permittee to ensure that proper QA/QC protocols are followed during the sample gathering and analytical procedures.
 - The permittee shall collect a minimum of 2 dry weather samples (Outfall 014) and 2 wet weather samples (Outfall 015) according to the PCB Point Source Guidance No. 09-2001, Appendix C (Sample Collection Methods for Effluent and Storm Water) and/or its amendments. Samples previously collected from these outfalls and analyzed with Method 1668, may be used in satisfying the total number of samples required even if the collection occurred prior to the current permit term.
 - The sampling protocol shall be submitted to DEQ - Blue Ridge Regional Office for review and approval in accordance with the schedule in 8.f. below prior to the first sample collection.
 - The data shall be submitted to DEQ - Blue Ridge Regional Office by the 10th day of the month following receipt of the results according to the PCB Point Source Guidance No. 09-2001, Appendix E (Reporting Requirements for Analytical (PCB) Data Generated Using EPA Method 1668) and/or its amendments. The submittal shall include the unadjusted and appropriately quantified individual PCB congener analytical results. Additionally, laboratory and field QA/QC documentation and results should be reported. Total PCBs are to be computed as the summation of the reported, quantified congeners.
 - If the results of this monitoring indicate actual or potential exceedance of the water quality criterion or the Waste Load Allocation specified in the approved TMDL, the permittee shall submit to DEQ - Blue Ridge Regional Office for review and approval a Pollutant Minimization Plan (PMP) designed to locate and reduce sources of PCBs in the collection system. A component of the plan may include an evaluation of the PCB congener distribution in the initial source intake water to determine the net contributions of PCBs introduced to the treatment works.
 - PCB monitoring shall proceed in accordance with the following schedule:

1.	Submit PCB sampling protocol	no later than October 10, 2010
2.	Complete and Submit PCB monitoring results to the DEQ - Blue Ridge Regional Office.	no later than October 10, 2011
3.	If required, Submit Pollutant Minimization Plan (PMP)	within 1 year of notification by DEQ

PART II — CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. MONITORING

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. RECORDS

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. REPORTING MONITORING RESULTS

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Virginia Department of Environmental Quality
Blue Ridge Regional Office
3019 Peters Creek Road
Roanoke VA 24019-2738

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.

C. REPORTING MONITORING RESULTS (continued)

3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. COMPLIANCE SCHEDULE REPORTS

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. UNAUTHORIZED DISCHARGES

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. REPORTS OF UNAUTHORIZED DISCHARGES

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge.

G. REPORTS OF UNAUTHORIZED DISCHARGES (continued)

The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. REPORTS OF UNUSUAL OR EXTRAORDINARY DISCHARGES

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I.2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. REPORTS OF NONCOMPLIANCE

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
 - a. Any unanticipated bypass; and
 - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

I. REPORTS OF NONCOMPLIANCE (continued)

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I.1 or I.2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I.2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office at (540) 562-6700 (voice) or (540) 562-6725 (fax). For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.

J. NOTICE OF PLANNED CHANGES

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
 - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
 - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. SIGNATORY REQUIREMENTS

1. Applications. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively;
or
 - c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K.1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II K.1;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 - a. The written authorization is submitted to the Department.
3. Changes to authorization. If an authorization under Part II K.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K.2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.

K. SIGNATORY REQUIREMENTS (continued)

4. Certification. Any person signing a document under Parts II K.1 or K.2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. DUTY TO COMPLY

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. DUTY TO REAPPLY

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. EFFECT OF A PERMIT

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. STATE LAW

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. PROPER OPERATION AND MAINTENANCE

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. DISPOSAL OF SOLIDS OR SLUDGES

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. BYPASS

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded; but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U.2 and U.3.
2. Notice
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.

U. BYPASS (continued)

3. Prohibition of bypass.

- a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Part II U.2.
- b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U.3.a.

V. UPSET

- 1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V.2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
- 2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required in Part II I; and
 - d. The permittee complied with any remedial measures required under Part II S.
- 3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. INSPECTION AND ENTRY

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

- 1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

W. INSPECTION AND ENTRY (continued)

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. PERMIT ACTIONS

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. TRANSFER OF PERMITS

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y.2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II Y.1, this permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
 - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y.2.b.

Z. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.